IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRITEQ LOCK & SECURITY LLC, an Illinois Corporation, Plaintiff, v. INNOVATIVE SECURED SOLUTIONS, LLC, an Illinois Corporation, GARY L. MYERS, an Individual and MICHAEL A. COHEN, an Individual. Defendants.	)	Case No. 2010 CV 01304

DEFENDANTS' AMENDED MOTION TO STAY DISCOVERY PENDING THIS COURT'S RULING ON DEFENDANT'S *COLORADO RIVER DOCTRINE* MOTION WHICH IS NOW FULLY BRIEFED BEFORE THE COURT

NOW COMES Defendants Innovative Secured Solutions, LLC, Michael A. Cohen, and Gary L. Myers, (hereinafter collectively referred to as "Defendants"), by their attorneys, Morrisroe & Associates, Ltd., and in support of their Amended Motion to Stay Discovery Pending this Court's Ruling on Defendants' *Colorado River Doctrine* Motion, which is now fully briefed and before this Honorable Court, hereby states the following:

1. Defendants' *Colorado River Doctrine* Motion is now briefed and before this Honorable Court for ruling based upon the substantial similarities of the instant case and case number 09 CH 44101 in the Circuit Court of Cook County.

2. Additional grounds for a stay in discovery is now manifest.

3. On January 27, 2011 the Honorable Judge William D. Maki of the Circuit Court

of Cook County, Chancery Division, on his own Order, directed that parties thereto engage in good faith settlement negotiations. He also Ordered that *all discovery in that action be stayed while conducting mediation*. (A copy of the Order is attached hereto as Exhibit A.) (Emphasis added.)

4. The parties have been embroiled in costly and duplicative discovery litigation and such discovery is still ongoing.

5. The continuation of aggressive discovery litigation during this interim period, prior to this Court's ruling on Defendants' *Colorado River Doctrine* Motion, will only magnify the excessive costs inflicted upon Defendants in the instant case.

6. Plaintiff has gone so far as to issue subpoenas in the Federal case from entities it has already obtained the records from in the State case; to wit: GmNCS and EMOS.

7. It is in the interests of equity and substantial justice that formal discovery between the parties in this suit be stayed pending this Court's ruling on Defendants' said Motion.

8. The briefs filed by the parties sufficiently establish the basis for the relief requested.

9. Granting a stay on discovery will provide substantial relief for both parties, particularly to Defendants, by reducing and abating unnecessary attorney's fees and court costs, and this stay will not cause any undue prejudice to Plaintiffs, but instead will provide much needed clarity, organization, and respite from the overload of litigation that is preventing a timely resolution for this case.

WHEREFORE, based on the above-mentioned reasons, Defendants respectfully requests that this Honorable Court grants its Motion to stay discovery pending resolution of its *Colorado*

River Doctrine Motion.

DATED: February 2, 2011

Respectfully Submitted,

s/Michael J. Morrisroe________
Michael J. Morrisroe
mjm@morrisroelaw.com

s/Scott A. Berndtson_________
Scott A. Berndtson
sab@morrisroelaw.com

Morrisroe & Associates, Ltd.
114 S. Bloomingdale Rd.
Bloomingdale, IL 60108
Tel: (630)-539-0880
Fax: (630)-539-0820

Attorneys for Innovative Secured Solutions, LLC, Michael A. Cohen and Gary L. Myers.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the court's CM/ECF system on January 14, 2011. Any other counsel of record will be served by electronic mail and/or first call US mail.

/s/Scott A. Berndtson
Scott A. Berndtson